



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

August 28, 2014

Adam Fox
Benton & Associates, Inc.
1970 West Lafayette Avenue
Jacksonville, IL 62650

Gary Bingenheimer
IL Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794

RE: Jacksonville - Ranney Well, Transmission Main Upgrades
IDNR Project # 1502495
Scott County

Dear Mr. Fox and Mr. Bingenheimer:

This letter concerns the Endangered Species Consultation for a proposed project in Naples, IL. This project was submitted for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075, *Interagency Wetland Policy Act* [20 ILCS 830], and 17 *Ill. Adm. Code* Part 1090.

The project involves the construction of improvements at an existing well site including equipment on the existing wells/well houses and surge suppression for the raw water transmission main. The construction will consist of excavation to the existing underground transmission main at a depth of 5'-6' to connect piping for the surge protection. The connecting pipe will extend to a ground level hydro-pneumatic tank that will provide an air cushion for surge protection. A building to house the tank will be constructed for protection from the weather.

Wetland Review

The Department has concluded that adverse effects to wetlands are unlikely. The Wetland Review under 17 Ill. Adm. Code 1090 is terminated.

Consultation

The Department has completed its review of the project and concluded that the action is likely to have an adverse impact on the State-threatened Illinois Chorus Frog, *Pseudacris streckeri* (ICF). The Illinois

chorus frog inhabits sand prairies and agricultural fields with sandy substrates. The species hibernates in burrows, and emerges in the spring to breed in flooded fields, ditches, and vernal pools. This species is usually only seen above ground during the spring breeding season (February – April); they prefer to be below ground from May to January.

The location of the proposed project is a sandy, open area just south of Lower Smith Lake, which has documented breeding records for the Illinois Chorus Frog. The project area constitutes potential ICF habitat, particularly during a wet spring. With the project area adjacent to the lake and its associated wetlands, it could also be crossed by frogs dispersing from breeding ponds. We are concerned with the effect that the project will have on this species by either injuring or killing individuals during excavation, or crushing them with equipment and vehicles during construction or operation.

If Illinois Chorus Frogs are encountered during construction and operation, there is the potential for a prohibited take to occur, which is a violation of the Illinois Endangered Species Protection Act. ‘Take’ means, in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. Because of the likelihood of a take, the Department recommends that you apply for Incidental Take Authorization (ITA) for Illinois Chorus Frog in accordance with *17 Ill Adm. Code Part 1080* (copy enclosed). Communication concerning the ITA application should be directed to Jenny Skufca, Office of Resource Conservation, 217-557-8243 or Jenny.Skufca@illinois.gov.

In addition, all on-site personnel involved in the project should be educated about what this species looks like. Color photos and educational materials should be distributed and displayed at work zones.

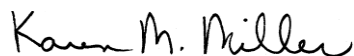
Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

If additional protected resources are encountered during the project’s implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR’s authorization or endorsement of the proposed action.

Please contact me if you have questions.

Sincerely,



Karen M. Miller
Impact Assessment Section
Phone (217) 785-5500
karen.m.miller@illinois.gov